

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: July 31, 2009 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature: /Jasper W. Dockrey/

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: NGUYEN, et al.

Appln. No.: 10/577,175

Filed: April 3, 2007

For: METHOD FOR SELF-SUPPORTED TRANSFER OF A FINE LAYER BY PULSATION AFTER IMPLANTATION OR CO-IMPLANTATION

Attorney Docket No: 9905/40(BIF116533/US)

Examiner: Luke, Daniel M.

Art Unit: 2813

Confirmation No. 3451

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This application claims priority to the following patent applications: PCT Application Serial No. PCT/FR04/02779 filed October 28, 2004, which claims the benefit of French patent application No.0312621, filed October 28, 2003. In accordance with 37 C.F.R §1.98(d), the Examiner is directed to the references cited in all Information Disclosure Statements filed in the priority United States patent applications cited above, in addition to the references cited herein.

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
N/A	N/A	N/A

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
N/A	N/A	N/A

**OTHER ART**

Office Action (Non-Final) for Appln. Serial No. 10/975,826 - Dated May 5, 2006.
Office Action (Non-Final) for Appln. Serial No. 10/975,826 – Dated Nov 28, 2006.
Office Action (Non-Final) for Appln. Serial No. 10/975,826 – Dated July 17, 2007.
Office Action (Non-Final) for Appln. Serial No. 10/975,826 – Dated April 1, 2008.
Office Action (Final) for Appln. Serial No. 10/975,826 – Dated Dec 10, 2008.
U.S. District Court District of Delaware (Wilmington) Civil Docket For Case #: 1:08-cv-00292-SLR – (11 pgs)
COMPLAINT filed with Jury Demand against MEMC Electronic Materials Inc. - Magistrate Consent Notice to Pltf. ( Filing fee \$ 350, receipt number 152004.) - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Civil Cover Sheet, # 5 Acknowledgement of Consent Form) (sns, ) (Entered: 05/20/2008)
Notice of Availability of a U.S. Magistrate Judge to Exercise Jurisdiction (sns, ) (Entered: 05/20/2008)
Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) RE39,484 E; 6,809,009; 7,067,396 B2; (sns, ) (Entered: 05/20/2008)
SUMMONS Returned Executed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. MEMC Electronic Materials Inc. served on 5/19/2008, answer due 6/9/2008. (Kraft, Denise) (Entered: 05/20/2008)
MOTION for Pro Hac Vice Appearance of Attorney George W. Neuner, Alan M. Spiro, Brian M. Gaff and Carolyn D'Agincourt - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 2 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 3 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 4 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 5 Certificate of Service)(Kraft, Denise) (Entered: 05/23/2008)
STIPULATION TO EXTEND TIME Answer to Complaint to 7/9/08 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 06/05/2008)
MOTION for Pro Hac Vice Appearance of Attorney Robert M. Evans, Jr., David W. Harlan, Richard L. Brophy, Marc W. Vander Tuig - filed by MEMC Electronic Materials Inc.. (Attachments: # 1 Certification of Robert M. Evans, Jr., # 2 Certification of David W. Harlan, # 3 Certification of Richard L. Brophy, # 4 Certification of Marc W. Vander Tuig)(Rogowski, Patricia) (Entered: 06/09/2008)
MOTION for Pro Hac Vice Appearance of Attorney Michael L. Brody, Richard P. Gilly, Gail J. Standish, Marcus T. Hall and Jason S. Charkow - filed by SOITEC Silicon On Insulator Technologies SA. (Attachments: # 1 Certification By Counsel to be Admitted Pro Hac Vice, # 2 Certification By Counsel to be Admitted Pro Hac Vice, # 3 Certification By Counsel to be Admitted Pro Hac

Vice, # 4 Certification By Counsel to be Admitted Pro Hac Vice, # 5 Certification By Counsel to be Admitted Pro Hac Vice)(Kraft, Denise) (Entered: 06/10/2008)
Disclosure Statement pursuant to Rule 7.1 filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 06/16/2008)
MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 07/09/2008)
OPENING BRIEF in Support re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc.. Answering Brief/Response due date per Local Rules is 7/28/2008. (Rogowski, Patricia) (Entered: 07/09/2008)
Disclosure Statement pursuant to Rule 7.1 filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 07/09/2008)
ANSWERING BRIEF in Opposition re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by Commissariat a L'Energie Atomique. Reply Brief due date per Local Rules is 8/7/2008. (Attachments: # 6 Exhibit A, # 7 Exhibit B, # Certificate of Service) (Kraft, Denise) (Modified on 7/29/2008 (id)). (Entered: 07/28/2008)
SEALED REPLY BRIEF re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 08/07/2008)
REDACTED REPLY BRIEF re 14 - re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc.. (Attachments: # 1 Exhibit 2, # 2 Exhibit 3, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Unreported Cases, # 6 Certificate of Service) (Rogowski, Patricia) Modified on 8/8/2008 (id). (Entered: 08/07/2008)
MEMORANDUM ORDER denying 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc., ORDER, Setting Hearings Telephonic Scheduling Conference set for 3/12/2009 at 9:00 A.M. Signed by Judge Sue L. Robinson on 2/20/2009. (nmf) (Entered: 02/20/2009)
MOTION for Pro Hac Vice Appearance of Attorney B. Scott Eidson - filed by MEMC Electronic Materials Inc.. (Attachments: # 1 Exhibit Certification by Counsel to be Admitted Pro Hac Vice)(Rogowski, Patricia) (Entered: 02/23/2009)
NOTICE OF SERVICE of Plaintiffs' Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service) (Kraft, Denise) (Entered: 02/27/2009)
ANSWER to 1 Complaint, with Jury Trial Demanded, COUNTERCLAIM against all plaintiffs by MEMC Electronic Materials Inc.. (Attachments: # 1 Exhibit A)(Rogowski, Patricia) (Entered: 03/06/2009)
NOTICE OF SERVICE of MEMC Electronic Materials, Inc.'s Initial Disclosures by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered:

03/06/2009)
PROPOSED ORDER Proposed Scheduling Order re 16 Memorandum and Order,, Set Hearings, by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Kraft, Denise) (Entered: 03/10/2009)
Letter to The Honorable Sue L. Robinson from Denise Seastone Kraft, Esq. regarding [Proposed] Scheduling Order - re 21 Proposed Order, 16 Memorandum and Order,, Set Hearings,. (Kraft, Denise) (Entered: 03/10/2009)
STIPULATION TO EXTEND TIME to Respond or Otherwise Plead to Defendant's Counterclaim to April 7, 2009 - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 03/11/2009)
PROPOSED ORDER Revised Scheduling Order re 21 Proposed Order, 16 Memorandum and Order,, Set Hearings, by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Kraft, Denise) (Entered: 03/12/2009)
Letter to The Honorable Sue L. Robinson from Denise Seastone Kraft regarding Revised Scheduling Order Pursuant to 03/12/09 Telephonic Scheduling Conference - re 24 Proposed Order. (Kraft, Denise) (Entered: 03/12/2009)
SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Joinder of Parties due by 8/14/2009. Amended Pleadings due by 8/14/2009. Discovery due by 4/23/2010. Discovery Conference set for 6/25/2009 04:30 PM in Courtroom 6B before Judge Sue L. Robinson. Dispositive Motions due by 6/25/2010. Answering Brief due 7/16/2010. Reply Brief due 7/30/2010. Oral Argument set for 8/27/2010 09:30 AM in Courtroom 6B before Judge Sue L. Robinson. Claim Construction Opening Briefs due by 6/18/2010. Response Briefs due 7/9/2010. Final Pretrial Conference set for 10/14/2010 04:30 PM in Courtroom 6B before Judge Sue L. Robinson. Jury Trial set for 10/25/2010 09:30 AM in Courtroom 6B before Judge Sue L. Robinson. Signed by Judge Sue L. Robinson on 3/16/2009. (nmf) (Entered: 03/16/2009)
Order Setting Teleconference: Telephone Conference set for 3/23/2009 at 11:00 AM before Judge Mary Pat Thyng to discuss ADR. Signed by Judge Mary Pat Thyng on 3/16/2009. (cak) (Entered: 03/16/2009)
Order Setting Teleconference: a teleconference has been scheduled for Monday, June 1, 2009 at 10:00 a.m. with Magistrate Judge Thyng to discuss the status of the case and the parties negotiations. Counsel for MEMC shall initiate the teleconference call to 302-573-6173. IT IS FURTHER ORDERED that the Court is holding September 10, September 14 and September 15, 2009 as possible mediation dates. Counsel are to advise Judge Thyng by March 30, 2009 if any of these dates works for everyone to schedule the mediation. Signed by Judge Mary Pat Thyng on 3/23/2009. (cak) (Entered: 03/23/2009)
ORDER Setting Mediation Conferences: Mediation Conference TENTATIVELY set for 9/15/2009 at 10:00 AM in Courtroom 2B before Judge Mary Pat Thyng. See order for details. Signed by Judge Mary Pat Thyng on 3/24/2009. (cak) (Entered: 03/24/2009)

MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009)
OPENING BRIEF in Support re 30 MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique Answering Brief/Response due date per Local Rules is 4/27/2009. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009)
ANSWER to 19 Answer to Complaint, Counterclaim Partial Answer to Defendant's Counterclaims, Affirmative Defenses and Soitec Counterclaims, COUNTERCLAIM against MEMC Electronic Materials Inc. by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009)
NOTICE OF SERVICE of First Request for Production of Documents and Things Directed to Commissariat A L'Energie Atomique; First Request for Production of Documents and Things Directed to SOITEC Silicon on Insulator Technologies, S.A. and Soitec USA, Inc.; and First Set of Interrogatories Directed to SOITEC Silicon on Insulator Technologies, S.A., Soitec USA, Inc. and Commissariat A L'Energie Atomique by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 04/14/2009)
STIPULATION TO EXTEND TIME Defendant to File Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII to May 6, 2009 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 04/21/2009)
ANSWER to 32 Answer to Counterclaim,,, of S.O.I. TEC Silicon on Insulator Technologies, S.A. and SOITEC U.S.A., Inc. by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 04/23/2009)
STIPULATION TO EXTEND TIME Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V and VIII to May 15, 2009 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 05/06/2009)
NOTICE OF SERVICE of Soitec's First Set of Interrogatories (Nos. 1-17) and Soitec's First Set of Requests for Production of Documents and Things (Nos. 1-132) by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 05/06/2009)
STIPULATION TO EXTEND TIME for Defendant to File an Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII; and STIPULATION TO EXTEND TIME for Plaintiffs to File Responses to MEMC's First Requests For Production of Documents and to MEMC's First Set of Interrogatories to May 29, 2009 - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique.

(Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 05/13/2009) <b>NOTICE of Service of (1) Subpoena to Hayes Soloway, P.C., (2) Subpoena to Pearne &amp; Gordon, LLP, (3) Subpoena to Brinks Hofer Gilson &amp; Lione, and (4) Subpoena to Winston &amp; Strawn by MEMC Electronic Materials Inc.</b> (Rogowski, Patricia) (Entered: 05/14/2009) <b>SO ORDERED- re 38 STIPULATION TO EXTEND TIME Set Briefing Schedule: re 30 MOTION to Dismiss. (Answering Brief due 5/29/2009.) (REFER TO STIPULATION FOR FURTHER DETAILS.). Signed by Judge Sue L. Robinson on 5/15/2009. (lid) (Entered: 05/15/2009)</b>
<b>STIPULATION To Extend Time for Defendant to File Its Answering Brief until June 5, 2009 by MEMC Electronic Materials Inc.. (Rogowski, Patricia)</b> (Entered: 05/28/2009) <b>SO ORDERED, re 40 Stipulation, Set Briefing Schedule: re 30 MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution. (Answering Brief due 6/5/2009.). Signed by Judge Sue L. Robinson on 5/29/2009. (nmf) (Entered: 05/29/2009)</b>
<b>NOTICE OF SERVICE of (1) Soitecs Objections and Responses to MEMC's First Set of Interrogatories; (2) Soitecs Objections and Responses to MEMC's First Request For Production of Documents and Things; (3) CEAs Objections and Responses to MEMC's First Set of Interrogatories; and (4) CEAs Objections and Responses to MEMC's First Request For Production of Documents and Things by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. (Attachments: # 1 Certificate of Service) (Kraft, Denise) (Entered: 05/29/2009)</b>

Applicants are enclosing Form PTO-1449, along with a copy of each listed reference (C1 – C46) for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and, more particularly, in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite litigation documents filed by the Parties in *SOITEC v. MEMC* (1:08-cv-00292-SLR) in the U.S. District Court, District of Delaware. This lawsuit involves patents owned by the assignee of record and that disclose subject matter that may be related to that claimed in the above-referenced patent application.

The Applicants also cite Office Actions from a co-pending, commonly-owned application Serial No. 10/975,826. The cited application discloses subject matter similar to that claimed in the above-referenced application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

---

July 31, 2009

Date

---

/Jasper W. Dockrey/

Jasper W. Dockrey  
Registration No. 33,868  
Attorney for Applicant(s)